

REMARKS

Claims 1, 3, 5 and 7-16 are pending in the application. Reconsideration is requested.

Claims 1, 3, 5 and 6-16 have been rejected under 35 USC § 103(a) as being unpatentable over Angov et al. (1999). This rejection is traversed for the following reasons.

The cited reference does not teach or suggest a "C-terminal 42 kD fragment of merozoite surface protein-1 (MSP-1₄₂) from *P. falciparum* 3D7 as set forth in SEQ ID NO:7, that is recombinantly expressed in *E. coli* as a soluble protein that retains its native structure, and an adjuvant," as is presently claimed. It is respectfully submitted that this abstract does not provide an enabling disclosure that would lead to the present invention. In particular, it does not provide any sequence information about the MSP1₄₂ protein described therein, and would not lead a person of skill in the art to a vaccine comprising SEQ ID NO:7. For these reasons, reconsideration and withdrawal of the rejection are respectfully requested.

The Examiner also states on page 4, lines 18-19, that the claimed invention is *prima facie* obvious over Angov et al. in view of Hui et al. This appears to be a separate rejection, although specific claims are not mentioned. It is not clear what Hui et al. provides beyond Angov et al. in support of the rejection, as the Examiner has also taken the position that adjuvant combinations, administration in multiple doses, and routes of administration are conventional in the vaccine art.

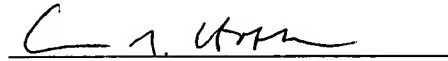
To the extent that Hui et al. is relied upon for a rejection, it is respectfully submitted that Hui et al. does not remedy the failure of Angov et al. to provide an enabling disclosure that would lead to the presently claimed invention. Withdrawal of this rejection is accordingly requested.

Lyon et al. --
Appl. No. 10/057,532

All objections and rejections having been addressed, it is respectfully requested that the rejections be withdrawn and a Notice of Allowance issued. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Respectfully submitted,

Date: 3/14/07



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